

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 14 has been amended to be in independent form. Claim 11 has been canceled without prejudice or disclaimer. No new matter has been added. Claims 1-10 and 14 are pending.

Allowable subject matter

Applicant appreciates the indication that claims 3 and 7 are allowed, and that claims 5, 6, 10 and 14 contain allowable subject matter. Claim 14 has been amended to be in independent form, and thus is in *prima facie* condition for allowance.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 4, 8 and 9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 7,008,091 to Mathleu et al. ("Mathleu"). Claim 11 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,749,325 to Bukosky et al. ("Bukosky"). These rejections are moot with respect to claim 11 in light of its cancellation. With respect to the rejections of claim 1, 2, 4, 8 and 9 in view of Mathleu, applicant respectfully traverses for at least the following reasons.

Mathleu is not prior art to claims 1, 2, 4, 8 and 9. Applicants have perfected their claim to foreign priority by now submitting a certified English translation of foreign priority document JP 2003-026438 filed on February 3, 2003. Claims 1, 2, 4, 8 and 9 are fully supported by the foreign priority document. Thus, Mathleu, with a filing date of December 18, 2003, after applicant's foreign filing date of February 3, 2003, is not prior art to claims 1, 2, 4, 8 and 9, and accordingly applicant respectfully requests that the rejection be withdrawn.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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